

Minutes of the Water Pollution Control Board  
Indiana Government Center South  
Conference Center Room A  
Indianapolis, Indiana  
Wednesday, February 8, 2006

**1. CALL TO ORDER**

The meeting was called to order at 1:30 p.m. by Chairperson Gary Powdrill. A quorum was present.

Members present: Gary Powdrill (Chairperson); Robert Warnock, Jr.; Jim Flannery; Dave Wagner; Mark Legan; Ken Hedge; Howard Cundiff (proxy for Dr. Judith A. Monroe, IDOH); Chad Frahm (proxy for Lt. Gov. Becky Skillman); Jim Ray (proxy for Kyle Hupfer, IDNR); and Pamela Fisher (proxy for Patricia R. Miller, Sec. of Commerce).

Members absent: Lee Botts; Ted Alexander; and Deborah Albright (board counsel).

Present for IDEM: Thomas Easterly, IDEM Commissioner; Bruno Pigott, Assistant Commissioner, Office of Water Quality (OWQ); Martha Clark Mettler, Deputy Assistant Commissioner, OWQ; Pat Carroll, Chief, Drinking Water Branch, OWQ; and Stacy Jones, Regulatory Development Specialist, Drinking Water Branch, OWQ.

**2. APPROVAL OF MINUTES**

A motion was made and seconded to approve the January 11, 2006, WPCB minutes. With a voice vote, the WPCB minutes were unanimously approved as presented.

**3. OWQ REPORTS**

Antidegradation - Ms. Mettler is facilitating an interim workgroup that is revising the 2<sup>nd</sup> notice rule language to develop better ways for implementing the rule.

Isolated Wetlands Permitting - Ms. Mettler stated that this rulemaking is divided into two groups that are working through the issues. The first group, wetlands science advisory, is coming close to making recommendations relative to practical and appropriate ways for evaluating bio-species diversity and invasive species. The second group, wetlands policy, is addressing the following issues: what the appropriate effective dates should be; when should wetland mitigation construction be considered complete; and when there is enough evidence from science for success criteria mitigation.

O&M Workgroup - Ms. Mettler outlined the Small Systems Operations and Maintenance (O&M) Workgroup report. She basically summarized specific recommendations that were made by hearing officer, Mr. Wagner, along with the workgroup's conclusions to address those recommendations. Handouts of the report were distributed to the board.

Ms. Metter and Mr. Wagner provided clarification to a number of questions asked by board members.

Commissioner Easterly gave updates on the legislative activities for office of water. He discussed the following bills: HB 1117, HB 1332, SB 234, SB 369, SB 314, and SB 146.

#### **4. ANNOUNCEMENTS:**

Chairperson Powdrill asked that a moment of silence be observed for Lee Botts's mother who had passed away.

Thereafter, all the board members introduced themselves and announced their affiliations.

#### **5. RULE ACTION:**

##### PUBLIC HEARING, #05-255 Sanitary Surveys and Operator Certification

Chairperson Powdrill opened the meeting to a public hearing for the preliminary adoption of amendments to the Sanitary Surveys and Operator Certification rules, #05-255 (WPCB).

Thereafter, Ms. Jones spoke on behalf of the agency. She read a written statement explaining the three primary sections of the draft rule language. She proceeded saying that the remaining changes to the rulemaking were made in order to have the state's rule in conformance with the federal rule.

Chairperson Powdrill and Mr. Wagner questioned Ms. Jones about matters pertaining to changing the usage of acronym "SSO" in the rule language and how EPA's Stage 2 interim enhanced surface water rules have affected the rulemaking.

Mr. Carroll clarified what drinking water measures were needed in order to develop the structural permitting program and the readiness of IDEM staff for implementing new drinking water rules.

No one commented at the hearing.

There was no board discussion.

##### PRELIMINARY ADOPTION, #05-255 Sanitary Surveys and Operator Certification

Chairperson Powdrill called for a motion to preliminarily adopt the amendments to Sanitary Surveys and Operator Certification draft rules. With a motion made and seconded, a roll call vote was taken. The board unanimously voted to preliminarily adopt the Sanitary Surveys and Operator Certification rules.

#### **6. OPEN FORUM**

Chairperson Powdrill called for open forum. No one commented.

#### **7. SCHEDULING OF NEXT MEETING**

There was a consensus by the members to cancel the March 8<sup>th</sup> and April 12<sup>th</sup> board meetings.

## **8. ADJOURNMENT**

Chairperson Powdrill adjourned the WPCB meeting at 2:24p.m. The next WPCB meeting is scheduled for Wednesday, May 10, 2006, at Indiana Government Center-South, Conference Room A, at 1:30 p.m. E.S.T.

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### **CHAIRPERSON**

These minutes were derived from Office of Water Quality Rules Section staff notes; however, this meeting was recorded by a court reporter. A typewritten transcript of the entire meeting is on file in the Office of Water Quality, Indiana Department of Environmental Management.